

REMARKS

Claims 1-10 are pending in this application. By this Amendment, claims 1 and 2 are amended to further define the subject matter recited therein. The amendments to claims 1 and 2 are supported at least by paragraphs [0001] and [0010] of the original specification. Claims 4-5 and 7-10 are amended for antecedence. No new matter is added by this Amendment.

I. Allowable Subject Matter

Applicants thanks the Examiner for the indication that claims 8 and 10 contain allowable subject matter.

II. Rejection Under 35 U.S.C. §103(a)

Claims 1-3, 5, 6 and 9 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 4,011,392 ("Rudolph"). Applicants respectfully traverse the rejection.

Claims 1 and 2 recite, among other features, an underlayer coating forming composition comprising a crosslinking compound, an organic solvent and a dextrin ester compound, wherein the underlayer coating composition forms an underlayer coating of a photoresist in a lithography process. In other words, claims 1 and 2 require the underlayer coating composition to form the underlayer coating.

The underlayer coating composition recited in claim 1 contains a dextrin ester produced by the esterification of dextrin in a specific ratio, which is effective for (1) flattening the surface of a substrate having unevenness and (2) showing an increased dry etching rate that allows for a more accurate transfer of the photoresist pattern to the substrate. See Tables 1-2 and paragraph [0078] of the original specification.

Rudolph does not describe an underlayer coating composition that forms an underlayer coating of a photoresist in a lithography process. Rudolph merely describes starch esters that are obtained by esterifying the hydroxyl groups of starches. Rudolph further

describes that the starch esters are capable of being used in water-based coatings and thermosetting coatings. See Rudolph, Abstract and col. 3, lines 25-47.

Because Rudolph does not describe an underlayer coating composition that forms an underlayer coating of a photoresist in a lithography process, Rudolph would not have provided one of ordinary skill in the art with any reason or rationale to have derived the underlayer coating formed by the underlayer coating composition recited in claim 1.

Withdrawal of the rejection is requested.

III. Double Patenting

Claims 1, 2, 4, 5, 7 and 9 were rejected on the grounds of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1, 2, 7 and 11 of U.S. Patent No. 7,361,718 ("718 Patent").

A Terminal Disclaimer is filed herewith to overcome the nonstatutory obviousness-type double patenting rejection.

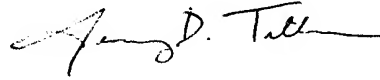
Withdrawal of the obviousness-type double patenting rejection is requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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